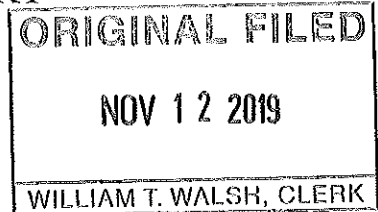


AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
District of New Jersey



United States of America

v.

Richard Tobin

Case No.

19-mj-5644 (KMW)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 9/15/19 through on/about 9/23/19 in the county of Camden in the

District of New Jersey, the defendant(s) violated:

Code Section

18 U.S.C. Section 241

Offense Description

See Attachment A

This criminal complaint is based on these facts:

See Attachment B.

☒ Continued on the attached sheet.

A handwritten signature in black ink, appearing to read "J. Novick", written over a horizontal line.

Complainant's signature

S/A Jason D. Novick, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/12/2019

A handwritten signature in black ink, appearing to read "Karen M. Williams", written over a horizontal line.

Judge's signature

City and state: Camden, New Jersey

The Honorable Karen M. Williams

Printed name and title

CONTENTS APPROVED

UNITED STATES ATTORNEY

By: KK M. Harberg
KRISTEN M. HARBERG, AUSA

Date: 11/12/19

ATTACHMENT A

From on or about September 15, 2019 through on or about September 23, 2019, in Camden County, in the District of New Jersey and elsewhere, defendant

RICHARD TOBIN

and other known and unknown individuals did conspire to injure, oppress, threaten, and intimidate minority citizens, including Jewish citizens, of the United States, in the free exercise and enjoyment of the right secured by the Constitution and laws of the United States, to hold and use real and personal property in the same manner as that right is enjoyed by white citizens, as guaranteed by Title 42, United States Code, Section 1982.

In violation of Title 18, United States Code, Section 241.

ATTACHMENT B

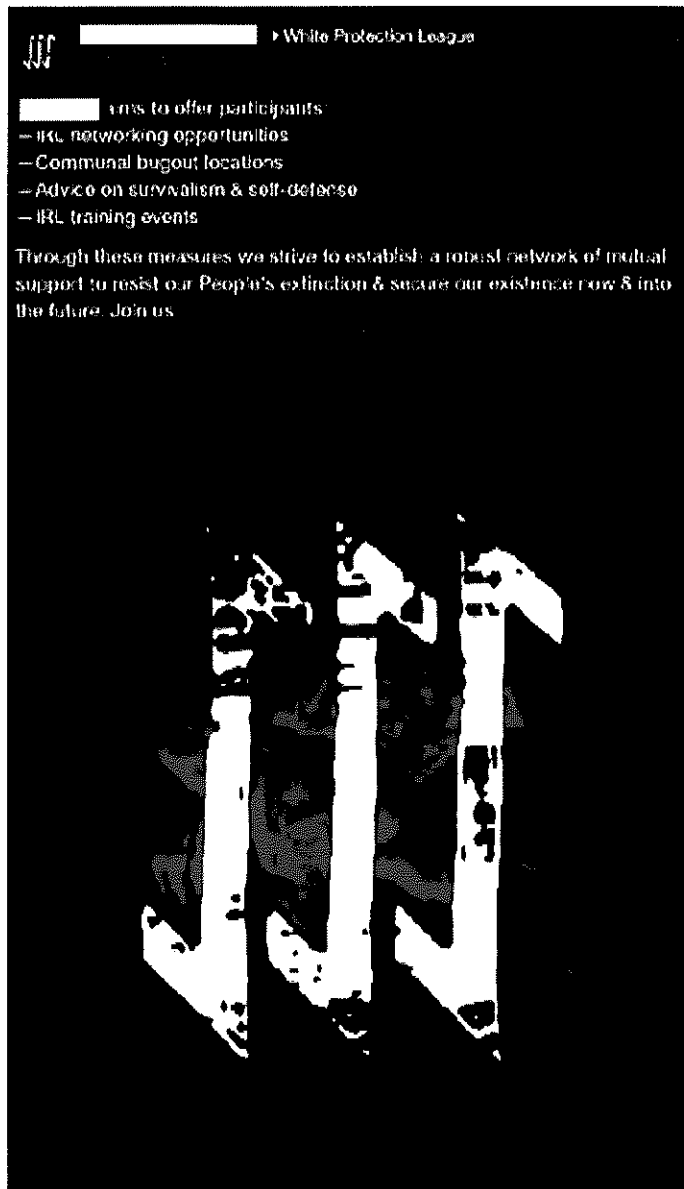
I, Jason Novick, am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been since January 2018. I am assigned to the Joint Terrorism Task Force of the FBI's South Jersey Resident Agency. My experience as an FBI Special Agent has included the investigation of cases involving conspiracy to commit violations of fraud and threats to U.S. national security. Prior to joining the FBI, I was employed as an intelligence analyst by the U.S. Department of Defense. I have received training and have gained experience in interview and interrogation techniques, arrest procedures, search warrant applications, the execution of arrest and search warrants, evidence seizure and processing, and various other criminal laws and procedures. I have knowledge of the following facts based upon both my investigation and discussions with other law enforcement personnel and others. Because this affidavit is being submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not included each and every fact known to the Government concerning this matter. Where statements of others are set forth herein, these statements are related in substance and in part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

1. At all times relevant to this Complaint, a synagogue in Michigan ("Victim Synagogue 1"), and a synagogue in Wisconsin ("Victim Synagogue 2") were organizations comprised of Jewish members who worshiped and conducted other religious activities therein. At all times relevant to this Complaint, defendant Richard Tobin ("TOBIN") was a member of a white racially motivated violent extremist group ("Group 1"). Group 1 has proclaimed war against minority communities within the United States and abroad. Members of Group 1 believe in an extreme form of survivalism and preparedness, and adherents of that philosophy are

sometimes referred to as “preppers.”¹ TOBIN and other members of Group 1 communicate with each other through online platforms and encrypted online messaging applications and chat rooms, and they have discussed, among other things, the recruitment of prospective members, the creation of a white ethno-state, acts of violence against minorities (including African-Americans and Jewish-Americans), Group 1’s military training camps, and ways to make improvised explosive devices (“IEDs”). The symbol used to identify Group 1 is a black flag with three white Runic Eihwaz² symbols. Group 1 has an online presence that gives context to its purpose and main goal. By way of example, on or about April 23, 2019, Group 1 posted the following message, followed by an image of three white Runic Eihwaz symbols, online:

¹ Based on my training and experience, I am aware that a “prepper” is a person who stockpiles basic necessities such as water, food, clothing, and first aid supplies, and who participates in survivalism training, including training with firearms, knives, and other weapons, and practicing hand-to-hand combat and other physical training. “Preppers” believe that “doomsday,” “the apocalypse,” or some other catastrophic event or set of events will cause the downfall of society in its current political and economic form.

² Through my training and experience, and knowledge of this investigation, I know that the Eihwaz rune was adopted by Nazis after 1923 to memorialize members who died in Hitler’s failed Beer Hall Putsch.



Based on my training, experience, and involvement in this investigation, it is my understanding that Group 1, which is a self-described “White Protection League,” is offering “IRL” (in real life) survivalist training to resist “our People’s extinction,” or the extinction of the white race. I also understand that Group 1 is offering its members “communal bugout locations,” which are places of retreat during military strife, to survivalists committed to resisting the alleged extinction of the white race.

2. Based on information that I have received in the course of this investigation, from on or about September 15, 2019, through on or about September 17, 2019, while TOBIN was present at his home in Brooklawn, New Jersey, TOBIN communicated with other known and unknown members of Group 1 and directed them to vandalize minority owned properties between the dates of September 20 and 25, 2019.

3. On September 21, 2019, law enforcement officers in Michigan discovered that Victim Synagogue 1 had been vandalized. Specifically, they saw swastikas and the symbol of Group 1 spray-painted on the exterior of the building.

4. On September 22, 2019, law enforcement officers in Wisconsin discovered that Victim Synagogue 2 had been vandalized. Specifically, they saw swastikas, the symbol of Group 1, and anti-Semitic words spray-painted on the exterior of the building.

5. On October 30, 2019, I interviewed TOBIN and took a video-recorded statement from him. Among other things, TOBIN admitted that he was responsible for directing other members of Group 1 to vandalize minority-owned properties throughout the country in September 2019. TOBIN stated that he had launched “Operation Kristallnacht”³ with other members of Group 1 to “tag the shit” out of synagogues. Based on my training and experience and familiarity with this investigation, I believe that TOBIN meant that synagogues should be spray-painted with anti-Semitic graffiti. TOBIN elaborated, “if there’s a window that wants to be broken, don’t be shy.” Based on my training and experience and familiarity with this investigation, I believe that TOBIN meant that windows of minority-owned properties deserved

³ Kristallnacht, or the Night of Broken Glass, occurred in Nazi Germany on November 9 and 10, 1938. During this time, Jewish homes, hospitals, and schools throughout Germany were ransacked and demolished by Nazi paramilitary soldiers and civilians. The name “Kristallnacht” comes from the shards of broken glass that littered the streets after the windows of Jewish-owned stores, buildings, and synagogues were smashed.

to be broken, and that members of Group 1 should do so. TOBIN said that the operation was nationwide, but had been carried out by the “Great Lakes cell” of Group 1. Specifically, TOBIN stated that a named member of Group 1 (CO-CONSPIRATOR-1) had “hit” a synagogue in Wisconsin, and that a named member of Group 1 (CO-CONSPIRATOR-2) had “hit” a synagogue in Minnesota.⁴

6. Also during my interview with TOBIN on October 30, 2019, TOBIN stated that he had considered conducting “suicide-by-cop” on numerous occasions, and he believed that carrying out a suicide bombing would be “pretty badass.” TOBIN also stated that he had saved manuals regarding how the detonation would work for the bombing, and he believed that it would be “pretty straightforward” to fill the back of a truck with barrels like Timothy McVeigh did.⁵

7. TOBIN was subsequently interviewed by FBI Special Agents and Task Force Officers on October 31, 2019. During that interview, TOBIN stated that he experienced depressed feelings for the last three years, and had thoughts of suicide by cop or becoming a suicide bomber regularly. TOBIN said that he was triggered by the state of the country, such as when he saw a “pride parade” or a large number of African Americans in one location. For example, simply being in Times Square in New York caused TOBIN to have these feelings. TOBIN stated that there was a time when he was at a mall in Edison, New Jersey, and there were so many African Americans around that it “enraged” him. That day, he had a machete in his car,

⁴ While TOBIN stated one of the vandalized synagogues was in Minnesota, the investigation revealed and has confirmed the vandalism occurred in Michigan.

⁵ Timothy McVeigh was tried, convicted, and ultimately executed for detonating a truck bomb at the Alfred P. Murrah Federal Building in Oklahoma City on April 19, 1995. The bombing killed at least 168 people and is considered the most deadly domestic terrorist attack in U.S. history.

and he wanted to “let loose” with it. TOBIN stated that he would act on his feelings if he was more frequently surrounded by the things that triggered him. TOBIN said that if he were to suffer from a terminal illness or if his “failure was imminent,” he would go out in a “blaze of glory.” At the time of this interview, TOBIN stated he was in his more violent phase.

8. On October 17, 2019, the FBI obtained a search warrant for historical and prospective cell site data of TOBIN’s cellular telephone. The warrant was issued by the Honorable Stewart D. Aaron, United States Magistrate Judge in the Southern District of New York. The cell site data from this search warrant reflected that TOBIN was located in Brooklawn, New Jersey, between September 15 and September 23, 2019.

9. On November 7, 2019, the FBI obtained a search warrant for TOBIN’s residence in Brooklawn, New Jersey. The warrant was issued by the Honorable Karen M. Williams, United States Magistrate Judge in the District of New Jersey. The search warrant was executed on November 8, 2019. A computer, gaming system, and electronic storage media from TOBIN’s room, among other things, were seized. FBI forensic examiners extracted data from TOBIN’s computer, and that data has been analyzed for evidence of the specified federal offense. The following evidence was found:

- a. On September 17, 2019, TOBIN conducted multiple Google searches for “Kristallnacht.” Also on September 17, 2019, TOBIN used an internet browser to access an encrypted messaging program. The symbol of Group 1 was listed in the name of the website. Based on my training and experience and involvement in this investigation, I believe TOBIN was using the internet browser to exchange messages with other members of Group 1 using the encrypted messaging program.
- b. On September 23, 2019, TOBIN used an internet browser to access an encrypted

messaging program. The name of CO-CONSPIRATOR-1 was listed in the name of the website. Based on my training and experience and my involvement in this investigation, I believe that TOBIN was using the internet browser to exchange messages with CO-CONSPIRATOR-1.

- c. Immediately following the aforementioned activity, TOBIN visited a website and accessed a news article regarding the anti-Semitic vandalism incident at Victim Synagogue 2. Based on my training and experience and the short time that had elapsed between this internet search and the online communication with CO-CONSPIRATOR 1, I believe that CO-CONSPIRATOR-1 sent TOBIN a link to the news article that he viewed.
- d. Also on September 23, 2019, TOBIN conducted Google searches for the name of the city in Wisconsin where Victim Synagogue 2 was located, along with the words "nazi," "anti-semitic," and Group 1.
- e. Also on September 23, 2019, TOBIN used an internet browser to access an encrypted messaging program. CO-CONSPIRATOR-2 was listed in the name of the website. Based on my training and experience, I believe TOBIN was using the internet browser to exchange messages with CO-CONSPIRATOR-2.
- f. Immediately following the aforementioned activity, TOBIN visited a website and accessed a news article about the anti-Semitic vandalism at Victim Synagogue 1. Based on my training and experience and the short time that had elapsed between this internet search and the online communication with CO-CONSPIRATOR 2, I believe CO-CONSPIRATOR-2 sent TOBIN a link to the news article he viewed.
- g. On October 31, 2019, TOBIN visited another website and viewed another article

which reported on the anti-Semitic vandalism to Victim Synagogue 1.

10. The FBI's review of TOBIN's computer also revealed numerous photos, videos, and internet activity which reflect an obsession with neo-Nazi propaganda, terrorism, and acts of brutal and mass violence. For example, TOBIN's computer contained the following:

- a. The video of an individual using a shotgun and an assault rifle to shoot unarmed people at a mosque. The video was created on March 15, 2019. The video was set to the song "Another One Bites the Dust."⁶
- b. A photo of a woman covered in blood whose throat had been slashed. The woman appears in the photo to be dead, and a knife can be seen next to the wound on her throat.
- c. Numerous Google searches for ISIS, Hizballah, and other terrorist organizations.
- d. A document detailing how to make plastic explosives.
- e. A document detailing how to arrange barrels inside a Ryder truck to be used as a truck bomb.
- f. A Google search for "svbied." Based on my training and experience, I know this to be an acronym commonly used in the military and law enforcement communities to refer to "suicide vehicle-borne improvised explosive device."
- g. Numerous photos of various types of assault rifles, machine guns, shotguns, and other firearms.
- h. Numerous neo-Nazi and white supremacist propaganda photos depicting or describing acts of violence against Jews, African Americans, and other minorities.

⁶ On March 15, 2019, 28-year-old Brenton Tarrant, described in the media as a white supremacist, is believed to have carried out the attack on two mosques in Christchurch, New Zealand, in which 51 people were killed and 49 injured.

11. In light of all of the foregoing, probable cause exists to believe that the crime of conspiracy against rights has been committed, and that TOBIN is the person who committed that crime.